

SENATE BILL 2165
By Dixon

AN ACT to amend Tennessee Code Annotated, Title 49, Chapter 2, Part 2, relative to notification of reasons for a probationary teacher's failure of reelection, or failure of a recommendation for tenure, and hearing rights.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 49-2-203(a), is amended by adding the following as a new, appropriately designated subdivision:

() Require the director of schools to report the names of probationary teachers that the director has nonrenewed and the names of all probationary teachers eligible for tenure but not recommended for tenure. The report shall be made to the board of education during a regularly scheduled board meeting prior to June 1 of each school year. Within ten (10) days of the meeting, the board shall provide written notice to each of the individuals of each individual's right to a hearing. Following July 1, 2004, the written notice and hearing shall be of the same type outlined in section 49-2-203(b)(8), unless the board of education negotiates a superior procedure with a professional employees' organization recognized pursuant to title 49, chapter 5, part 6. The procedures outlined herein shall only apply if the board of education chooses not to negotiate procedures protecting probationary teachers from unjustified career ending actions in the school system. Following a hearing held pursuant to this section, the board of education shall report its findings to the employee and the director of schools. If no cause exists for the nonrenewal or failure to recommend tenure, the board of education shall include in its report the recommended action to be taken. The board may, at its option, require the director of schools to reemploy the teacher for completion of the probationary period, or require the director to recommend the teacher for tenure at the board's next regular meeting.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.